



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2014 JUN 16 AM 10:38

June 13, 2014

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PO/nur*  
Chief Compliance Officer

Debbie Chacona *DC/nur*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickerall *KDR* *AS*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2014 April Quarterly Report for the  
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2014 April Quarterly Report in accordance with 2 U.S.C. 434(a). The 2014 April Quarterly Report was due on April 15, 2014.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission  
Reason to Believe Circulation Report  
2014 APRIL QUARTERLY Not Election Sensitive 04/15/2014 H S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2791	C00365965	AMERICAN ACADEMY OF PEDIATRIC DENTISTRY POLITICAL ACTION COMMITTEE		DR. JOHN S. RUTKAUSKAS	\$211,767	0	4/22/2014	7	\$31,700	\$340
2792	C00551002	ART GARDNER 2014	GARDNER, ARTHUR AUGUSTINE	JOHN W. GREENWALD	\$138,983	0	4/23/2014	8	\$43,335	\$360
2793	C00540385	BEALE FOR CONGRESS	BEALE, ANTHONY A	STEVEN R. BURRIS	\$369,434	2		Not Filed	\$92,359 (est)	\$5,775
2794	C00552380	CASSIE FELDER CAMPAIGN LLC	FELDER, CASSIE ERIN	KRISTIN KOENIG	\$128,643	0	4/30/2014	15	\$99,781	\$2,090
2795	C00295964	DC DEMOCRATIC STATE COMMITTEE		WILLIAM O'FIELD	\$128,594	0	5/19/2014	Not Filed	\$32,572	\$1,090
2796	C00468314	DEMOCRACY ENGINE, INC., PAC		JONATHAN ZUCKER	\$690,617	0		Not Filed	\$345,309 (est)	\$9,800
2797	C00548743	FRIENDS OF CLYDE HOLLOWAY FOR CONGRESS	HOLLOWAY, CLYDE C	STEPHANIE HOLLOWAY	\$408,859	0		Not Filed	\$204,430 (est)	\$7,150
2798	C00224790	GRAYROBINSON, P.A., POLITICAL ACTION COMMITTEE		J. CHARLES GRAY	\$160,695	0	5/7/2014	22	\$13,250	\$220
2799	C00547232	JOE PALUMBO FOR CONGRESS	PALUMBO, JOSEPH E	KEITH BUCKHOUT	\$182,849	0		Not Filed	\$182,849 (est)	\$6,050
2800	C00544056	MCCASKILL SENATE FUND	MCCASKILL, CLAIRE	MICHELE SHEROD	\$152,342	0	5/3/2014	18	\$2,548	\$117
2801	C00509489	PATRIOT SUPER PAC		THOMAS FREILING	\$108,597	0	5/15/2014	30	\$11,617	\$260
2802	C00192849	PLUMBERS AND PIPEFITTERS LOCAL UNION 74		MARK R. PERMAR	\$139,426	1	5/29/2014	Not Filed	\$21,136	\$687
2803	C00078196	RHODE ISLAND REPUBLICAN STATE CENTRAL COMMITTEE		MICHAEL W. GROSSI	\$180,762	0	4/28/2014	13	\$50,484	\$1,532
2804	C00518027	STEVE SALAZAR FOR CONGRESS	SALAZAR, STEVE	ROSARIO RODRIGUEZ	\$110,712	4		Not Filed	\$110,712 (est)	\$9,900
2805	C00550830	TEXANS FOR STOVALL	STOVALL, DWAYNE BRADLEY	KATHERINE BRACKEEN STOVALL	\$172,334	0	4/25/2014	10	\$58,841	\$1,255
2806	C00361949	TRIUMPH GROUP INC PAC		CLAY CRAWFORD	\$285,599	1	5/5/2014	20	\$44,338	\$750

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
-----	--------------	----------------	----------------	-----------	-----------	----	--------------	-----------	-----	-------------

2808	C00040725	UNITED FRESH PRODUCE ASSOCIATION FRESH POLITICAL ACTION COMMITTEE (FRESH PAC)		ROBERT GUENTHER	\$149,073	0	5/31/2014	Not Filed	\$14,946	\$550
------	-----------	---	--	-----------------	-----------	---	-----------	-----------	----------	-------

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2014 )  
April Quarterly Report for the )  
Administrative Fine Program: )  
AMERICAN ACADEMY OF PEDIATRIC ) AF# 2791  
DENTISTRY POLITICAL ACTION )  
COMMITTEE, and DR JOHN S )  
RUTKAUSKAS as treasurer; )  
ART GARDNER 2014, and JOHN W ) AF# 2792  
GREENWALD as treasurer; )  
BEALE FOR CONGRESS, and STEVEN R ) AF# 2793  
BURRIS as treasurer; )  
CASSIE FELDER CAMPAIGN LLC, and ) AF# 2794  
KRISTIN KOENIG as treasurer; )  
DC DEMOCRATIC STATE ) AF# 2795  
COMMITTEE, and O'FIELD, WILLIAM )  
as treasurer; )  
DEMOCRACY ENGINE, INC., PAC, and ) AF# 2796  
ZUCKER, JONATHAN as treasurer; )  
FRIENDS OF CLYDE HOLLOWAY FOR ) AF# 2797  
CONGRESS, and STEPHANIE )  
HOLLOWAY as treasurer; )  
GRAYROBINSON, P.A., POLITICAL ) AF# 2798  
ACTION COMMITTEE, and GRAY, J. )  
CHARLES as treasurer; )  
JOE PALUMBO FOR CONGRESS, and ) AF# 2799  
KEITH BUCKHOUT as treasurer; )  
MCCASKILL SENATE FUND, and ) AF# 2800  
MICHELLE SHEROD as treasurer; )  
PATRIOT SUPER PAC, and FREILING, ) AF# 2801  
THOMAS as treasurer; )  
PLUMBERS AND PIPEFITTERS LOCAL ) AF# 2802  
UNION 74, and MR MARK R PERMAR as )  
treasurer; )  
RHODE ISLAND REPUBLICAN STATE ) AF# 2803  
CENTRAL COMMITTEE, and GROSSI, )  
MICHAEL W as treasurer; )

STEVE SALAZAR FOR CONGRESS, and ) AF# 2804  
ROSARIO RODRIGUEZ as treasurer; )  
TEXANS FOR STOVALL, and ) AF# 2805  
KATHERINE BRACKEEN STOVALL as )  
treasurer; )  
TRIUMPH GROUP INC PAC, and ) AF# 2806  
CRAWFORD, CLAY MR as treasurer; )

UNITED FRESH PRODUCE ) AF# 2808  
ASSOCIATION FRESH POLITICAL )  
ACTION COMMITTEE (FRESH PAC), )  
and ROBERT GUENTHER as treasurer; )

CERTIFICATION

I, Shelley E. Garr, Acting Secretary and Clerk of the Federal Election

Commission, do hereby certify that on June 17, 2014 the Commission took the  
following actions on the Reason To Believe Recommendation - 2014 April Quarterly  
Report for the Administrative Fine Program as recommended in the Reports Analysis  
Division's Memorandum dated June 13, 2014, on the following committees:

AF#2791 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN  
ACADEMY OF PEDIATRIC DENTISTRY POLITICAL ACTION COMMITTEE, and  
DR JOHN S RUTKAUSKAS as treasurer violated 2 U.S.C. 434(a) and make a  
preliminary determination that the civil money penalty would be the amount indicated on  
the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen,  
Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2792 Decided by a vote of 6-0 to: (1) find reason to believe that ART  
GARDNER 2014, and JOHN W GREENWALD as treasurer violated 2 U.S.C. 434(a)  
and make a preliminary determination that the civil money penalty would be the amount  
indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter,  
Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2793 Decided by a vote of 6-0 to: (1) find reason to believe that BEALE FOR CONGRESS, and STEVEN R BURRIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2794 Decided by a vote of 6-0 to: (1) find reason to believe that CASSIE FELDER CAMPAIGN LLC, and KRISTIN KOENIG as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2795 Decided by a vote of 6-0 to: (1) find reason to believe that DC DEMOCRATIC STATE COMMITTEE, and O'FIELD, WILLIAM as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2796 Decided by a vote of 6-0 to: (1) find reason to believe that DEMOCRACY ENGINE, INC., PAC, and ZUCKER, JONATHAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2797 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF CLYDE HOLLOWAY FOR CONGRESS, and STEPHANIE HOLLOWAY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2798 Decided by a vote of 6-0 to: (1) find reason to believe that GRAYROBINSON, P.A., POLITICAL ACTION COMMITTEE, and GRAY, J. CHARLES as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2799 Decided by a vote of 6-0 to: (1) find reason to believe that JOE PALUMBO FOR CONGRESS, and KEITH BUCKHOUT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2800 Decided by a vote of 6-0 to: (1) find reason to believe that MCCASKILL SENATE FUND, and MICHELLE SHEROD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2801 Decided by a vote of 6-0 to: (1) find reason to believe that PATRIOT SUPER PAC, and FREILING, THOMAS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2802 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and MR MARK R PERMAR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2803 Decided by a vote of 6-0 to: (1) find reason to believe that RHODE ISLAND REPUBLICAN STATE CENTRAL COMMITTEE, and GROSSI, MICHAEL W as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2804 Decided by a vote of 6-0 to: (1) find reason to believe that STEVE SALAZAR FOR CONGRESS, and ROSARIO RODRIGUEZ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2805 Decided by a vote of 6-0 to: (1) find reason to believe that TEXANS FOR STOVALL, and KATHERINE BRACKEEN STOVALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2806 Decided by a vote of 6-0 to: (1) find reason to believe that TRIUMPH GROUP INC PAC, and CRAWFORD, CLAY MR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2808 Decided by a vote of 6-0 to: (1) find reason to believe that UNITED FRESH PRODUCE ASSOCIATION FRESH POLITICAL ACTION COMMITTEE (FRESH PAC), and ROBERT GUENTHER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 17, 2014  
Date

Shelley E. Garr  
Shelley E. Garr  
Acting Secretary and Clerk of the  
Commission





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 18, 2014

Stephanie Holloway, in official capacity as Treasurer  
Friends of Clyde Holloway for Congress  
P.O. Box 340  
Forest Hill, LA 71430

C00548743  
AF#: 2797

Dear Ms. Holloway:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period January 1, 2014 through March 31, 2014, shall be filed no later than April 15, 2014. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On June 17, 2014, the FEC found that there is reason to believe ("RTB") that Friends of Clyde Holloway for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before April 15, 2014. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$7,150. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$7,150 is due within forty (40) days of the finding, or by July 27, 2014, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$204,430  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or July 27, 2014. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Friends of Clyde Holloway for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.


**5. Settlement Offers**

If you make a payment in an amount less than the calculated civil money penalty as an offer to settle or compromise a debt owed to the Commission, the offer is herewith rejected despite any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Lee E. Goodman  
Chairman

-----  
**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$7,150 for the 2014 April Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by July 27, 2014. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
-----

FOR: Friends of Clyde Holloway for Congress

FEC ID#: C00548743

AF#: 2797

PAYMENT DUE DATE: July 27, 2014

PAYMENT AMOUNT DUE: \$7,150



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2014 SEP 10 PM 5:19

September 10, 2014

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *APCO*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickerall *KDR* *JP*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the  
2014 April Quarterly Report

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2014 April Quarterly Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

RAD would like to recommend further explanation and a specific course of action for one of the committees outlined on the attached second list:

- Steve Salazar for Congress (AF 2804) is the principal campaign committee ("PCC") for a candidate who appeared on the ballot in the 2012

Texas Primary election held on May 29, 2012. Mr. Salazar did not appear on the ballot for the Runoff election on July 31, 2014 or the General election held on November 6, 2012. This committee currently has outstanding Administrative Fines (AF cases 2554, 2754, 2759, 2767 and for which the civil money penalties total \$34,648.00. AF cases 2554, 2754, and 2759 have been transferred to the U. S. Department of the Treasury ("Treasury") for collection.

Please note that the last report filed by the above committee with the Commission was a 2012 Pre-Primary Report (Texas), filed on May 18, 2012. The Committee filed paper 2012 July Quarterly, 2012 October Quarterly and 2012 Year-End Reports with no activity on December 14, 2012. RAD sent a Notice of Paper Filing on December 21, 2012. Since then, the Committee has stopped filing and did not file in 2013 or 2014.

As such, RAD recommends that the Commission take no further action against Steve Salazar for Congress and permit RAD to desist from pursuing this committee in future Administrative Fine extraction reports.

For your information, four (4) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. Of these, three (3) committees will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding, and one (1) committee will be assessed a civil money penalty of \$0 at FD. An overview of each of these cases has been provided below.

Cassie Felder Campaign LLC (AF 2794) filed an Amended 2014 April Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$53,796 (previously estimated to be \$99,781), thus the fine would be lowered from \$2,090 to \$1,717. The committee paid \$2,090.00 (see first list); therefore, we will issue a refund for the difference (\$373.00).

Democracy Engine, Inc., PAC (AF 2796) filed the 2014 April Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$118,562 (previously estimated to be \$345,309), thus the fine would be lowered from \$9,800 to \$4,950.

Friends of Clyde Holloway for Congress (AF 2797) filed the 2014 April Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$204,430), which would result in no civil money penalty (fine previously assessed to be \$7,150). The committee made a partial payment of the civil money penalty assessed at the RTB stage (see second list); therefore, we will issue a refund of the payment (\$500.00).

Joe Palumbo for Congress (AF 2799) filed the 2014 April Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$124 (previously estimated to be \$182,849), thus the fine would be lowered from \$6,050 to \$124.

In addition, two (2) committees detailed below designated a new Treasurer after the RTB finding:

- Cassie Felder Campaign LLC (AF 2794) filed an Amended Statement of Organization after the RTB finding designating Corey William Dorsa as Treasurer (see first list);

Please contact Debbie Chacona at extension 1145 with any questions.

#### **RAD Recommendation**

- (1) Take no further action against Steve Salazar for Congress (AF 2804) and exclude this committee from future Administrative Fine Reason to Believe recommendations.
- (2) Make a final determination that the political committees and their treasurers listed on the attached reports violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess the final civil money penalties so indicated.
- (3) Make a final determination that the political committee and its treasurer listed on the attached report with no activity, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and will not be assessed a civil money penalty.
- (4) Send the appropriate letters.

Federal Election Commission  
FD Circulation Report - Fine Paid  
2014 APRIL QUARTERLY Not Election Sensitive 04/15/2014 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2791	AMERICAN ACADEMY OF PEDIATRIC DENTISTRY POLITICAL ACTION COMMITTEE		C00365965	JOHN S. RUTKAUSKAS	04/22/2014	7	\$31,700	0	06/17/2014	\$340	\$340	06/30/2014	\$340
2792	ART GARDNER 2014 COMMITTEE	GARDNER, ARTHUR AUGUSTINE	C00551002	JOHN W. GREENWALD	04/23/2014	8	\$43,335	0	06/17/2014	\$360	\$360	07/15/2014	\$360
2795	DC DEMOCRATIC STATE COMMITTEE		C00295964	WILLIAM O'FIELD	05/19/2014	Not Filed	\$32,572	0	06/17/2014	\$1,090	\$1,090	07/29/2014	\$1,090
2798	GRAYROBINSON, P.A., POLITICAL ACTION COMMITTEE		C00224790	J. CHARLES GRAY	05/07/2014	22	\$13,250	0	06/17/2014	\$220	\$220	07/14/2014	\$220
2800	MCCASKILL SENATE FUND	MCCASKILL, CLAIRE	C00544056	MICHELLE SHEROD	05/03/2014	18	\$2,548	0	06/17/2014	\$117	\$117	07/07/2014	\$117
2801	PATRIOT SUPER PAC PLUMBERS AND PIPEFITTERS LOCAL UNION 74		C00509489	THOMAS FREILING	05/15/2014	30	\$11,617	0	06/17/2014	\$260	\$260	09/09/2014	\$260
2802	TEXANS FOR STOVALL	STOVALL, DWAYNE BRADLEY	C00192849	MARK R. PERMAR	05/29/2014	Not Filed	\$21,136	1	06/17/2014	\$687	\$687	08/01/2014	\$687
2805	TRUMP GROUP INC PAC		C00550830	KATHERINE BRACKKEEN STOVALL	04/25/2014	10	\$58,841	0	06/17/2014	\$1,255	\$1,255	07/28/2014	\$1,255
2806	UNITED FRESH PRODUCE ASSOCIATION FRESH POLITICAL ACTION COMMITTEE (FRESH PAC)		C00361949	CLAY CRAWFORD	05/05/2014	20	\$44,338	1	06/17/2014	\$750	\$750	07/01/2014	\$750
2808			C00040725	ROBERT GUENTHER	05/31/2014	Not Filed	\$14,946	0	06/17/2014	\$550	\$550	07/28/2014	\$550



**Federal Election Commission**  
**FD Circulation Report - Fine Not Paid**  
**2014 APRIL QUARTERLY Not Election Sensitive 04/15/2014 H\_S\_P\_UNAUTH**

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
2793	BEALE FOR CONGRESS	BEALE, ANTHONY A.	C00540385	STEVEN R. BURRIS		Not Filed	\$92,359 (est)	2	06/17/2014	\$5,775	85	\$5,775
2794	CASSIE FELDER CAMPAIGN LLC	FELDER, CASSIE ERIN	C00552380	COREY WILLIAM DORSA	04/30/2014	15	\$53,796	0	06/17/2014	\$2,090	85	\$1,717
2796	DEMOCRACY ENGINE, INC., PAC		C00468314	JONATHAN ZUCKER	06/21/2014	Not Filed	\$118,562	0	06/17/2014	\$9,800	85	\$4,950
2797	FRIENDS OF CLYDE HOLLOWAY FOR CONGRESS	HOLLOWAY, CLYDE C	C00548743	STEPHANIE HOLLOWAY	07/15/2014	Not Filed	\$0	0	06/17/2014	\$7,150	85	NONE
2799	JOE PALUMBO FOR CONGRESS	PALUMBO, JOSEPH E	C00547232	KEITH BUCKHOUT	06/18/2014	Not Filed	\$124	0	06/17/2014	\$6,050	85	\$124
2804	STEVE SALAZAR FOR CONGRESS	SALAZAR, STEVE	C00518027	ROSARIO RODRIGUEZ		Not Filed	\$110,712 (est)	4	06/17/2014	\$9,900	85	NFA

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Administrative Fine Program - Final ) AF 2797  
Determination Recommendation for the )  
2014 April Quarterly Report: Friends of )  
Clyde Holloway for Congress and )  
Stephanie Holloway as treasurer )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 12, 2014, the Commission decided by a vote of 6-0 to take the following actions in AF 2797:

1. Make a final determination that Friends of Clyde Holloway for Congress and Stephanie Holloway as treasurer, listed on the report with no activity violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and will not be assessed a civil money penalty.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

September 15, 2014  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 16, 2014

Stephanie Holloway, in official capacity as Treasurer  
Friends of Clyde Holloway for Congress  
P.O. Box 340  
Forest Hill, LA 71430

C00548743  
AF#: 2797

Dear Ms. Holloway:

On June 17, 2014, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Friends of Clyde Holloway for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for filing late or failing to file the 2014 April Quarterly Report. By letter dated June 18, 2014, the Commission notified you of the RTB finding and the preliminary civil money penalty calculated at the RTB stage to be \$7,150 in accordance with the schedule of penalties at 11 CFR § 111.43.

On July 31, 2014, the FEC received a partial payment of the civil money penalty calculated at the RTB stage. Since that time, the amount of the civil money penalty has been changed to reflect the actual level of activity of the 2014 April Quarterly Report. The FEC made a final determination on September 12, 2014 that Friends of Clyde Holloway for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)), assessed no civil money penalty in accordance with 11 CFR § 111.43, and voted to close the file. Please note, the Commission will be issuing a refund of \$500.00.

The confidentiality provisions at 52 U.S.C. § 30109g(a)(12) (formerly 2 U.S.C. § 437g(a)(12)) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 CFR § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding this matter, please contact Sari Pickerall on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Lee E. Goodman".

Lee E. Goodman  
Chairman



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2797

DATE SCANNED 2/23/15

SCANNER NO. 2

SCAN OPERATOR EE5



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2797

DATE SCANNED 2/23/15

SCANNER NO. 2

SCAN OPERATOR EEJ